

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION**

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JOCELYN MCLEAN, :  
 :  
Plaintiff, :  
 : Civil Action No.: 3:22cv33-DPJ-FKB  
v. :  
 :  
FORMER MISSISSIPPI DEPUTY CHIEF :  
MEDICAL EXAMINER J. BRENT DAVIS, :  
M.D.; FORMER MISSISSIPPI CHIEF :  
MEDICAL EXAMINER MARK :  
LEVAUGHN, M.D.; FORMER MISSISSIPPI :  
DEPUTY MEDICAL EXAMINER LIAM :  
FUNTE, M.D., PH.D. (f/k/a LISA FUNTE); :  
TALLAHATCHIE COUNTY CORONER :  
GINGER MERIWETHER; TALLAHATCHIE :  
COUNTY, MISSISSIPPI; AND MISSISSIPPI :  
BUREAU OF INVESTIGATION SPECIAL :  
AGENT JOSEPH MAUNEY, :  
 :  
Defendants. :  
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**PLAINTIFF’S RESPONSE IN OPPOSITION TO DEFENDANT J. BRENT DAVIS M.D.’S  
MOTION TO RECONSIDER DENIAL OF QUALIFIED IMMUNITY ON PLAINTIFF’S  
FOURTEENTH AMENDMENT § 1983 CLAIM PREMISED ON RECKLESSNESS**

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Pursuant to the Clerk's Notice dated March 1, 2023, and L.U.Civ.R. 7(b)(3) and 7(b)(4), Plaintiff respectfully submits this Response in Opposition to Defendant J. Brent Davis M.D.'s Motion to Reconsider Denial of Qualified Immunity on Plaintiff's Fourteenth Amendment § 1983 Claim Premised on Recklessness (Dkt. Nos. 51, 52). For the reasons discussed more fully in Plaintiff's response memorandum brief, Davis has failed to satisfy the exacting standards for reconsideration of the Court's February 9 Order (Dkt. No. 50). In support of this response, Plaintiff relies upon the separately filed supporting memorandum brief, Exhibit A (a true and correct copy of the papers submitted as Docket No. 25 in *Cousins v. Small, et al.*, Civil Action No. 00-0069 (E.D. La. Jan. 16, 2001) and Exhibit B (a true and correct copy of the papers submitted as Docket No. 37 in *Templeton v. Jaramillo et al.*, Civil Action No. 1:19-cv-848 (W.D. Tex. May 26, 2020)).

DATED: March 2, 2023

Respectfully submitted,

s/ Edward L. Tulin

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*Counsel for Plaintiff Jocelyn McLean*

**CERTIFICATE OF SERVICE**

I hereby certify that on March 2, 2023, I caused a true and correct copy of the foregoing to be filed with the Clerk of the Court via the Court's ECF filing system, which sent notification of such filing to all counsel of record.

Dated: March 2, 2023

*s/ Edward L. Tulin*

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Edward L. Tulin